

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: James P. Richmond, *et al.*

U.S. Serial No.: 10/627,328

Filed: July 25, 2003

For: *Editing a Portable, Dynamic and Abstract View
Definition of a Network Object Database*

Attorney Docket No.: ENB-009/(E00378.70188)

Group Art Unit: 2178

Examiner: Samir Termanini

Commissioner for Patents
Washington, D.C. 20231

"Express Mail" Mailing Label Number EV 956 473 828 US

Date of Deposit May 21, 2007

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, , Washington, DC 20231.

Signature

David R. Burns
David R. Burns

Please Print Name of Person Signing

DECLARATION PURSUANT TO 37 CFR §1.131

Dear Sir:

Pursuant to 37 C.F.R. §3.71, the undersigned, who is empowered to act on behalf of the assignee, namely Enterasys Networks, Inc., submits this Declaration pursuant to 37 C.F.R. §1.131 to antedate United States Patent Publication Number 2003/0208480 to Faulkner *et al.* entitled "Method and Apparatus for Collecting and Displaying Network Device Information" cited by the U.S. Patent and Trademark Office during examination of U.S. Patent Application No. 10/627,328.

Pursuant to 37 C.F.R. § 3.73(b), Enterasys Networks, Inc., a corporation of Delaware, certifies that it is the assignee of the entire right, title and interest in U.S. Patent Application No. 10/627,328.

Submitted herewith as Exhibit A are copies of Assignments of U.S. Patent Application U.S. Serial No. 10/627,328 from James P. Richmond, Steven Charles Bir, Brian Stanley Locke, Christopher McClain, Daniel Timothy Murphy and David Scott Grieve to Enterasys Networks, Inc. as documentary evidence of ownership by Enterasys Networks, Inc. The Assignments were submitted for recordation at the U.S. Patent and Trademark Office on January 17, 2003. A copy of each Assignment Recordation Cover Sheet is also enclosed herewith as Exhibit B.

The undersigned has reviewed the documentary evidence and certifies that, to the best of Assignee's knowledge and belief, title to U.S. Patent Application No. 10/627,328 is in Enterasys Networks, Inc.

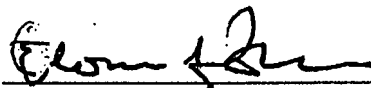
Pursuant to 37 C.F.R. §1.131, the undersigned hereby declares as follows:

(1) James P. Richmond, a citizen of the United States, residing at 52 Bassett Lane, Newfields, New Hampshire 01810, Steven Charles Bir, a citizen of the United States, residing at 66 Mast Road, Lee, New Hampshire 03824, David Scott Grieve, a citizen of the United States, residing at 2 Partridgeberry Lane, Durham, New Hampshire 03824, Brian Stanley Locke, a citizen of the United States, residing at 46 Sheep Road, Lee, New Hampshire 01810, Christopher McClain, a citizen of the United States, residing at 56 Durham Road, Unit 20, Dover, New Hampshire 01810, and Daniel Timothy Murphy, a citizen of the United States, residing at 3 Decato Drive, Lee, New Hampshire 03824 are co-inventors of the subject matter described and claimed in the above-identified application hereinafter "inventors".

(2) Prior to May 3, 2002, the inventors completed the invention as described and claimed in the above-referenced patent application in this country, a NAFTA country, or a WTO country, as evidenced by the following:

(a) Prior to May 3, 2002, the earliest priority date of United States Patent Publication Number 2003/0208480 to Faulkner *et al.* entitled "Method and Apparatus for Collecting and Displaying Network Device Information", the inventors conceived and reduced to practice a system for editing a portable, dynamic and abstract view definition of a network object database as evidenced by an electronic mail (e-mail) from Christopher McClain documenting an operational version of the claimed invention undergoing verification testing. A copy of this e-mail is attached hereto as Exhibit C.

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this Application for Patent or any patent issuing thereon.



Thomas Loureiro

May 18, 2007

Date

ASSIGNMENT**Ex. A**

For good and valuable consideration, the sufficiency of which is acknowledged, we the undersigned James P. Richmond of Newfields, New Hampshire, Steven Charles Bir of Lee, New Hampshire, David Scott Grieve of Durham, New Hampshire, Brian Stanley Locke of Lee, New Hampshire, Christopher McClain of Dover New Hampshire and Daniel Timothy Murphy of Lee, New Hampshire hereby:

Sell, assign and transfer to Enterasys Networks, Inc. a Delaware corporation having a place of business at 50 Minuteman Road, Andover, Massachusetts 01810, its successors, assigns and legal representatives, all hereinafter referred to as the Assignee, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed in the United States Patent and Trademark Office, bearing attorney docket no. E00378.70188.US and titled EDITING A PORTABLE, DYNAMIC AND ABSTRACT VIEW DEFINITION OF A NETWORK OBJECT DATABASE, and in said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority;

Agree that said Assignee may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said Assignee, we agree to carry out in good faith the intent and purpose of this assignment, by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said Assignee all facts known to us relating to said inventions and the history thereof, and generally by doing everything reasonably possible which said Assignee shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said Assignee;

Request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said Assignee; and

Covenant with said Assignee that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

This instrument is executed under seal.

5/20/2003
Date

Brian Stanley Locke
Brian Stanley Locke

STATE OF New Hampshire:

COUNTY OF Strafford:

Subscribed and sworn to before me this 20th day of May 2003

SEAL

Theresa M. Cicard
Notary Public
My Commission Expires 11/11/2004

5/20/2003
Date

Christopher McClain
Christopher McClain

STATE OF New Hampshire:

COUNTY OF Strafford:

Subscribed and sworn to before me this 20th day of May 2003

SEAL

Theresa M. Cicard
Notary Public
My Commission Expires 11/10/2004

20 May 2003
Date

Daniel Timothy Murphy
Daniel Timothy Murphy

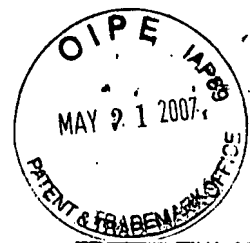
STATE OF New Hampshire:

COUNTY OF Strafford:

Subscribed and sworn to before me this 20th day of May 2003

SEAL

Theresa M. Cicard
Notary Public
My Commission Expires 11/10/2004



Ex. B

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEBRUARY 13, 2004

PTAS

WOLF GREENFIELD & SACKS, P.C.
DANIEL P. MCLOUGHLIN
600 ATLANTIC AVENUE
FEDERAL RESERVE PLAZA
BOSTON, MA 02210



102515653A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/25/2003

REEL/FRAME: 014333/0466

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

RICHMOND, JAMES P.

DOC DATE: 05/20/2003

ASSIGNOR:

BIR, STEVEN CHARLES

DOC DATE: 05/21/2003

ASSIGNOR:

LOCKE, BRIAN STANLEY

DOC DATE: 05/20/2003

ASSIGNOR:

MCCLAIN, CHRISTOPHER

DOC DATE: 05/20/2003

ASSIGNOR:

MURPHY, DANIEL TIMOTHY

DOC DATE: 05/20/2003

014333/0466 PAGE 2

ASSIGNEE:

ENTERASYS NETWORKS, INC.
50 MINUTEMAN ROAD
ANDOVER, MASSACHUSETTS 01810

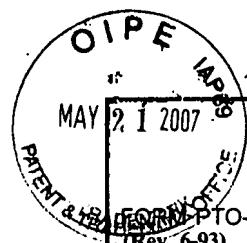
SERIAL NUMBER: 10627328

FILING DATE:

PATENT NUMBER:

ISSUE DATE:

VIOLET MCCOY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



RECORD^

06-04-2003

T

DEPARTMENT OF COMMERCE
Patent and Trademark Office

FORM PTO-1595 U.S.
(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)

102515653

To the Commissioner for Patents : Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

James P. Richmond, Steven Charles Bir,
Brian Stanley Locke, Christopher McClain,
Daniel Timothy Murphy

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger.
☐ Security Agreement ☐ Change of Name
☒ Other

2. Name and address of receiving party(ies)

Name: Enterasys Networks, Inc.

Internal Address:

Street Address: 50 Minuteman Road

Andover, MA 01810

Additional name(s) & addresses(es) attached? ☐ Yes ☒ No

Execution Date : May 20, 21, 2003

4. Application number(s) or patent number(s):

10,162,328

If this document is being filed together with a new application, the execution date of the application is
May 20, 21, 2003

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence
Concerning document should be mailed:

Name: Daniel P. McLoughlin, Reg. No. 46,066
Address: Wolf, Greenfield & Sacks, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, MA 02210

6. Total number of applications and patents involved: [1]

7. Total fee (37 CFR 3.41)

\$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

The Commissioner is authorized to charge any
deficiencies in the enclosed payment to:

8. Deposit Account No: 50/1127

08/07/2003 BBYRHE 00000033 001127 106873

01 f jmr 4CTOST

DO NOT USE THIS SPACE

9. Statement and signature^

To the best of my knowledge and belief the foregoing information is true and correct and any attached copy is a
true copy of the original document.

Daniel P. McLoughlin

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: [4]

Mail documents to be recorded with required cover sheet information to (modify as appropriate):

Mail Stop Patent Application

Director - U.S. Patent and Trademark Office (when filed separately from a new application)

Commissioner of Patents (when filed with a new application)

PO Box 1450, Alexandria, VA 22313-1450



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEBRUARY 13, 2004

PTAS



102515654A

DANIEL P. MCLOUGHLIN
WOLF, GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
FEDERAL RESERVE PLAZA
BOSTON, MA 02210

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RECORDATION DATE: 07/25/2003

REEL/FRAME: 014333/0433
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GRIEVE, DAVID SCOTT

DOC DATE: 07/15/2003

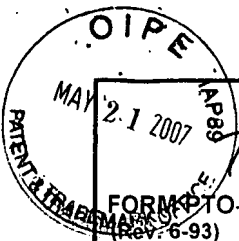
ASSIGNEE:

ENTERASYS NETWORKS, INC.
50 MINUTEMAN ROAD
ANDOVER, MASSACHUSETTS 01810

SERIAL NUMBER: 10627328
PATENT NUMBER:

FILING DATE:
ISSUE DATE:

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



RE

08-04-2003

SHEET

FORM PTO-1595 U.S.

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)



102515654

DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Commissioner for Patents : Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
David Scott Grieve

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

3. Nature of conveyance:

[X] Assignment [] Merger
 [] Security Agreement [] Change of Name
 [] Other _____

Execution Date : **July 15, 2003**

2. Name and address of receiving party(ies)

Name: **Enterasys Networks, Inc.**

Internal Address:

Street Address: **50 Minuteman Road****Andover, MA 01810**

Additional name(s) & addresses(es) attached? [] Yes [X] No

4. Application number(s) or patent number(s):

10,627,328If this document is being filed together with a new application, the execution date of the application is
July 15, 2003

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? [] Yes [X] No

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Concerning document should be mailed:

Name: **Daniel P. McLoughlin, Reg. No. 46,066**
 Address: **Wolf, Greenfield & Sacks, P.C.**
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6. Total number of applications and patents involved: **[1]**

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\$ 40.00

[] Enclosed

[X] Authorized to be charged to deposit account

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8. Deposit Account No: 50/1127

08/04/2003 DBYRNE 00000022 501127 10627328

01 FC:8021 40.00 DA

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Daniel P. McLoughlin

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **[4]**

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ASSIGNMENT

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Agree that said Assignee may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said Assignee, we agree to carry out in good faith the intent and purpose of this assignment, by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said Assignee all facts known to us relating to said inventions and the history thereof, and generally by doing everything reasonably possible which said Assignee shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said Assignee;

Request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said Assignee; and

Covenant with said Assignee that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

This instrument is executed under seal.

Date

James P. Richmond

STATE OF _____:

COUNTY OF _____:

Subscribed and sworn to before me this _____ day of _____

SEAL

Notary Public

My Commission Expires _____

Date

STATE OF _____:

COUNTY OF _____:

Subscribed and sworn to before me this _____ day of _____

SEAL

Steven Charles Bir

Notary Public

My Commission Expires _____

July 15, 2003
Date

David Scott Grieve
David Scott Grieve

STATE OF Mass:

COUNTY OF Middlesex:

Subscribed and sworn to before me this 15 day of July 2003

SEAL

Denise Brooks
Notary Public

My Commission Expires 11/13/2009

Date

Brian Stanley Locke

STATE OF _____:

COUNTY OF _____:

Subscribed and sworn to before me this _____ day of _____

SEAL

Notary Public

My Commission Expires _____

Date

Christopher McClain

STATE OF _____:

COUNTY OF _____:

Subscribed and sworn to before me this _____ day of _____

SEAL

Notary Public

My Commission Expires _____

Date

Daniel Timothy Murphy

STATE OF _____:

COUNTY OF _____:

Subscribed and sworn to before me this _____ day of _____

SEAL

Notary Public

My Commission Expires _____

Exhibit C

From: Bir, Steve
Sent:
To: McClain, Christopher
Subject: FW: Build for Monday

From: McClain, Christopher
Sent:
To: Riegel, Roy
Cc: Bir, Steve
Subject: RE: Build for Monday

Roy,

Here's the goods:

- What would you like to be tested/viewed.

The FlexView table has several new capabilities. I'll need feedback/testing on the full scope of its functionality.

- What's new (this week).

The user (subject to any known or undiscovered errors) should be able to:

1. Add columns sourced from different MIB branches. Right now if an instance is not defined for an OID, the getNext fills the cell data with data from the 0 instance.

2. Any number of changes to data (assuming the data is editable) can be made to the table before an apply takes place.

3. Multiple rows can be selected and edited simultaneously, this includes non-contiguous rows.

4. Set across devices and subnets. (WARNING: Nothing is done to prevent the user from performing an operation that can disable the device, subnet or even network. Extreme caution should be used in testing!)

Exhibit C

The tab title of the FlexView, should reflect the value of the currently selected view. ☺

- What's broken(if things are partially working but certain buttons/controls/ etc. don't work yet..)

1. Table sorting has some bugs.

2. Cells in SNMP related columns that are editable are editable in the main table and shouldn't be. Editing cells this way

causes erratic behavior.

3. The Apply button is enabled on changes to the table's data. Unfortunately, this happens when the table is initially populated.

4. Not all SNMP data types have editing and rendering support yet. This means that values displayed in the table may appear as raw values.

N. Possibly a host of other issues that I'll need feedback on. How many MIB objects are there in the universe? The absolute maximum number of SNMP requests that can be generated by a table is the size of a java int. That's around 4 billion, which is substantially more than the number of requests that can probably be implemented. I'm sure there's all sorts of timing issues that need resolution.

-----Original Message-----

From: Riegel, Roy

Sent: Friday, November 30, 2001 10:31 AM

To: JEM

Subject: Build for Monday

Hello All,

From my point of view this has been a very productive week. I am hoping that we can showcase what we've accomplished in next week's Demo build.

I would like to have everyone that has new stuff ready to "put" into VSS to do so by 1:00 to 1:30 range today so that I can do a get, kick off a build and then test the resultant install later this afternoon. This gives us some "cleanup/fixup" time this afternoon if necessary.

Then hopefully, the automated build that will happen early Monday a.m. will be identical to this afternoon's build and will be clean; hence we can easily create the installer for our "Demo" distribution Monday afternoon.

Exhibit C

Also, please forward a short synopsis to Steve & I of the (now) usual categories:

- What would you like to be tested/viewed.
- What's new (this week).
- What's broken(if things are partially working but certain buttons/controls/ etc. don't work yet..)

Thanks, and have a great weekend!!,

R.

Roy Riegel
Prin. SW Engineer, NetSight Dev.
Enterasys Networks
Phone: 603-337-2120
FAX: 603-337-3799
Email: rriegel@enterasys.com
www: <http://www.enterasys.com>

